
SENATE BILL No. 138

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-17-5-2.

Synopsis: Grandparent's visitation. Creates a rebuttable presumption that a grandparent may not have visitation with a grandchild if the grandparent has not had or has not attempted to have meaningful contact with the grandchild.

Effective: July 1, 2004.

Drozda

January 6, 2004, read first time and referred to Committee on Judiciary.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 138

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-17-5-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 2. (a) The court may
3 grant visitation rights if the court determines that visitation rights are
4 in the best interests of the child.
5 (b) In determining the best interests of the child under this section,
6 the court ~~may~~ **shall** consider whether a grandparent has had or has
7 attempted to have meaningful contact with the child. **If the court finds**
8 **that a grandparent has not had or has not attempted to have**
9 **meaningful contact with the child, there is a rebuttable**
10 **presumption that the grandparent is not entitled to visitation under**
11 **this chapter.**

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